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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/073,959
Filing Date: February 14, 2002
Appellant(s): NAKAMURA ET AL.

Michael Caridi
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed February 5, 2007 appealing from the Office action mailed April 19, 2004.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 2 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Sugawara et al (US Patent 6,322,218).

In reference to independent claims 2 and 3, Sugawara anticipates the applicant's invention. By referring to Fig. 3, and column 8, lines 10-20, it can be seen that Sugawara's invention includes the same electrical components as claimed by the applicant. Specifically, Sugawara et al teach a liquid crystal projector with a cooling fan (items 10 and 12), a temperature sensor for detecting the internal temperature of the liquid crystal projector (item 30), and an air pressure sensor for detecting an outside air pressure (item 56), a driving circuit for the cooling fan (44, 46 and 52; column 7, lines 65-67).

Sugawara also teaches a storage means for storing a control table representing the relationship between the temperature detected by the temperature sensor and the value of a control voltage (Fig. 8, col. 10, lines 55: "a table of a fan applied voltage versus temperature"). Sugawara et al continues by stating that Fig. 8 is a graph/table is "at the position where the reference height is an atmosphere pressure" thus, anticipating the applicant's limitation for the driving circuit of the cooling fan for each a plurality of classes into which the outside air pressure is divided (col. 15, lines 22-35).

Sugawara et al also teach a means for determining the value of the control voltage (item 52 and 46, col. 7, lines 66-col. 8, line 1) to the driving circuit of the cooling fan. In col. 15, lines 15-19, Sugawara et al teach the incorporation of all three variables in the determination of temperature compensation. "When a relationship of a heat sink of head pipe versus a

temperature detecting element receives the influence of air pressure variations, the temperature compensation can be performed by monitoring the fan rotational frequency, applied voltage..." in other words, when the temperature and pressures are changing, the temperature compensation can be performed by monitoring the applied voltage and not just the two variables (temperature and air pressure). Sugawara et al, then continues to teach that temperature compensation TO, can be created based on the pressure of various classes of atmospheric pressures (col. 15, lines 30-37).

(10) Response to Argument

The appellant argues that Sugawara et al fail to teach a table that represents temperature to control voltage. Examiner, respectfully, disagrees. A table that represents temperature control voltage is clearly disclosed in Fig. 8. The appellant's argues that Sugawara et al fail to include three variables, temperature, control voltage and air pressure. Examiner, respectfully, disagrees. Sugawara et al explicitly state that "In figure 8, the lateral axis refers to the fan applied voltage and the vertical axis refers to the temperature of the liquid crystal light value 4G. Further, figure 8, shows that the fan applied voltage at the position where the reference height is an atmospheric pressure (760 mm Hg)..." In this case, the V vs. T graph was drafted at a particular atmospheric class P at 760 mm Hg.

As explained in the rejection of claims 2 and 3, above, Sugawara et al do not limit their invention to two variable inputs. It is clear that temperature, air pressure and applied voltages can be used to determine the compensation factor (col. 15, lines 15-19). Furthermore, the air pressures can be stratified to different levels according to the positioning of the device (col. 15, lines 30-37). Sugawara et al also teach the use of other pressure classes in col. 15, lines 30-37.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Srilakshmi K Kumar

May 31, 2007

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